

AMENDED IN ASSEMBLY APRIL 22, 2014

AMENDED IN ASSEMBLY APRIL 3, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2287

**Introduced by Assembly Member Pan
(Coauthor: Assembly Member Skinner)**

February 21, 2014

An act to add Section 49557.25 to the Education Code, relating to school nutrition.

LEGISLATIVE COUNSEL'S DIGEST

AB 2287, as amended, Pan. Free and reduced-price meals: gluten-free meals.

Existing law provides for a school lunch program under which eligible pupils receive free or reduced-price meals.

This bill would authorize a school district or county superintendent of schools to incorporate into the free or reduced-priced meals application packet or notification of eligibility for the free or reduced-priced meals program a notification and request for a gluten-free meal if a child qualifies for free or reduced-priced school meals and the child has an individualized education program authorizing gluten-free meals, as specified. *The bill would encourage schools to make meal substitutions for a pupil who does not meet the definition of disability pursuant to federal law but does have celiac disease, a wheat allergy, or a gluten intolerance and the pupil has provided a written statement to the school signed by a recognized medical authority identifying the pupil as having one of these conditions.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
2 following:
- 3 (a) Celiac disease, also known as celiac sprue or gluten-sensitive
4 enteropathy, is a permanent intolerance to the gliadin fraction of
5 wheat protein and related alcohol-soluble prolamines found in rye
6 and barley, commonly known as gluten.
- 7 (b) For people with celiac disease, exposure to gluten causes
8 an autoimmune condition where the body starts attacking normal
9 intestinal tissue. In response to eating gluten, the body destroys
10 the intestinal villi, which are the small, finger-like projections in
11 the small intestine that absorb nutrients from food. Repeated
12 exposure to gluten, and resulting intestinal inflammation and
13 destruction of the villi, leads to malabsorption of food, iron
14 deficiency anemia, osteopenia, osteoporosis, increased risk of
15 developing other autoimmune disorders, and gastrointestinal
16 cancers.
- 17 (c) Gluten intolerance and wheat allergies may include reactions
18 in the skin, mouth, gastrointestinal tract, and lungs and cause
19 rashes, wheezing, lip swelling, gassiness, abdominal pain,
20 abdominal distention or constipation, and diarrhea.
- 21 (d) The National Institutes of Health estimates that 1 in 133
22 people with no genetic risk factors have celiac disease, while up
23 to 1 in 22 people with genetic risk factors have celiac disease.
24 Gluten intolerance and wheat allergy are even more common, with
25 wheat allergy being one of the top eight food allergies in the United
26 States.
- 27 (e) Federal regulations, Part 15b of Subtitle A of Title 7 of the
28 Code of Federal Regulations, require substitutions or modifications
29 in school meals for children whose disabilities restrict their diets.
30 A child with a disability must be provided substitutions in foods
31 when that need is supported by a statement signed by a licensed
32 physician.
- 33 (f) Gluten-free foods are available at prices that are comparable
34 to foods made with wheat, rye, and barley.

SEC. 2. Section 49557.25 is added to the Education Code, immediately following Section 49557.2, to read:

49557.25. (a) At the option of the school district or county superintendent of schools, the following information may be incorporated into the free or reduced-price meals application packet or notification of eligibility for the free or reduced-priced meals program using simple and culturally appropriate language:

(1) A notification that if a child qualifies for free or reduced-priced school meals and the child has an individualized education program authorizing gluten-free meals, then the child may request a gluten-free meal.

(2) A request for the applicant's consent for the child to receive a gluten-free meal if eligible for free or reduced-price school meals and the child has an individualized education program authorizing gluten-free meals.

(b) The Legislature encourages schools to make meal substitutions for a pupil who satisfies all of the following criteria:

(1) Does not meet the definition of disability pursuant to federal law.

(2) Has celiac disease, a wheat allergy, or a gluten intolerance.

(3) Has provided a written statement to the school signed by a recognized medical authority identifying the pupil as having one of the conditions listed in paragraph (2).

~~(b)~~

(c) Effective January 1, 2015, the notifications referenced in subdivision (a) shall comply with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and any other applicable federal or state disabled access law.

~~(e)~~

(d) A school district also may include the notifications detailed in subdivision (a) in the notifications at the beginning of the first semester or quarter of the regular school term required pursuant to Section 48980.